

REMARKS

Claims 1-24, 26-28, 30, and 32-33 are pending in this application. Claims 1, 11, 26-28, 30, and 32-33 are in independent form. Applicants respectfully acknowledge and accept the indication of allowance of claims 26-28, 30, and 32-33. Claims 1-9, 11-20, and 22-24 have been rejected. The amendments to independent claims 1 and 11 add further patentable distinctions not found in the prior art.

In particular, claims 1 and 11 have been amended to include the feature that the modular cage is a one-piece non-movable construction prior to and after placement within said housing. Support for this amendment can be found in the specification and drawings as originally filed. No new matter has been added.

ARGUMENTS

The present invention is directed to a modular fluid casing for a check valve wherein the casing includes a one-piece modular cage and at least one in-line check valve removably housed in the modular cage. The one-piece modular design of the check valve containing cage, as particularly shown in Figure 3 of the application, provides for easy maintenance and replacement of check valves with minimal disruption of the flow in a fluid handling installation.

Claims 1-7 and 11-20 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,581,626 to Noll et al. (hereinafter referred to as "Noll"). The Examiner has maintained the rejection stating that the arrangement disclosed in Noll, i.e., the cage (45, 55) is indeed non-movable in that once it is installed in the housing, as shown in Fig. 4 of Noll; it is non-movable and thus has a non-movable construction.

The Applicants traverse this rejection for the following reasons. Noll fails to teach a modular cage having a *one-piece* construction for containing the check valves, but rather teaches multiple valve bodies 45, 50, and 55 which are installed in the housing. Claims 1 and 11 specifically state that the modular cage is a *one-piece* construction. Since Noll clearly shows a series of valve bodies, i.e., multiple components 45, 50, and 55, which are assembled together prior to insertion into the housing, Noll fails to anticipate the claimed feature of a modular cage having a one-piece construction. Additionally, once these valve bodies of Noll are installed in the housing, they are not "non-movable" as evidenced by the teachings at col. 5, starting at lines 20 of Noll that the valve bodies are compressed together

Application No. 10/692,465
Paper Dated: March 28, 2008
In Reply to USPTO Correspondence of October 29, 2007
Attorney Docket No. 1940-031320

prior to insertion within the housing and the teachings at col. 6, lines 5-8 of Noll which state that a spacer 85 is positioned between the shoulder 75 and the shoulder 80 of the valve bodies to maintain the valve bodies 45, 55 in the elongated position within the housing 15. Accordingly, the valve bodies move to an elongated position once they are installed in the housing. For these reasons, Noll fails to anticipate the claims.

Claims 1 and 11 have been further amended to recite the feature that the modular cage is of a “non-movable” construction prior to and after insertion into the housing. Noll clearly fails to teach this claimed feature of the present invention.

For the reasons set forth above, it is respectfully requested that the rejection of claims 1-7 and 11-20 under 35 U.S.C. §102(e) over Noll be withdrawn as Noll fails to anticipate each and every feature of the claims, especially a modular cage having a one-piece non-movable construction prior to and after insertion into the housing.

Claims 8, 9, and 22-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Noll in view of U.S. Patent No. 6,679,289 to Sisk (hereinafter referred to as Sisk). Sisk is relied upon as teaching a fastening system for securing the modular cage to the housing. It is the Examiner’s position that it would have been obvious to one of ordinary skill in the art to have provided in Noll an arrangement of fastening as disclosed in Sisk for the purpose of reliably securing the modular cage to the housing.

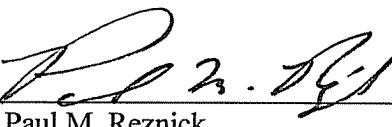
Applicants traverse this rejection for the following reasons. Noll fails to teach a one-piece modular non-movable cage as specifically recited in the claims. Sisk fails to overcome the deficiencies of the Noll reference. Accordingly, it is respectfully requested that the rejection of claims 8, 9, and 22-24 be withdrawn as the combination of Noll with Sisk fails to render these claims obvious.

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CONCLUSION

Based on the foregoing remarks and amendments, reconsideration of the rejections and allowance of pending claims 1-9, 11-20, and 22-24 are respectfully requested.

Respectfully submitted,
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